

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re:

Marie Maud Crichlow

Debtor/Appellant

BANKRUPTCY APPEAL

Civil Action No. 05-10653-MLW

MOTION TO DISMISS APPEAL

NOW COMES Marie Maud Crichlow, debtor/appellant in the above captioned matter, and respectfully moves the Court to dismiss this appeal, and for reasons states that upon this Court's denial of her motion for a stay, the appellee promptly evicted her from her home, rendering her homeless. Crichlow therefore has moved to dismiss the underlying bankruptcy case. Even if being rendered homeless did not make this appeal moot, *see Jones v. Noonan*, 53 F.3d 327 (1st Cir. 1995) (unpublished decision; text on Westlaw), Crichlow no longer believes that she has a remedy in this court and therefore desires to dismiss the appeal.

WHEREFORE Crichlow requests that the Court dismiss this appeal.

May 30, 2005

Marie Maud Crichlow
By her attorney,

/s/ David G. Baker
David G. Baker, Esq.
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CERTIFICATE OF SERVICE

The undersigned hereby states upon information and belief that the within Motion was served upon the appellee by the Court's CM/ECF system.

/s/ David G. Baker
David G. Baker, Esq.